

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rutherford & Plaza Blanca

Subfile Nos. CHRU-001-0019A
CHRU-001-0019B
CHRU-003-0012
CHRU-004-0042
CHRU-004-0047

MOTION TO CORRECT CLERICAL ERRORS AND OMISSIONS

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order correcting clerical errors in the Consent Orders filed in subfiles CHRU-001-0019A, CHRU-001-0019B, CHRU-003-0012, CHRU-004-0042 and CHRU-004-0047, and as grounds therefore plaintiff states:

1. Under Fed. R. Civ. P. 60(a), clerical mistakes in judgments or orders arising from oversight or omission may be corrected by the Court at any time on its own motion or on the motion of any party after such notice, if any, as the Court orders.
2. The Consent Orders filed with the Court in subfiles CHRU-001-0019A, CHRU-001-0019B, CHRU-003-0012, CHRU-004-0042 and CHRU-004-0047 failed to cross-reference Office of the State Engineer file numbers (“OSE Nos.”) associated with the lands and water rights described in those orders. The water rights described in these orders, all of which are under the Willow Creek Mesa Ditch, are the subject of OSE Nos. 1545 & 1699.

3. The Consent Orders filed with the Court in subfiles CHRU-001-0019A, CHRU-001-0019B, CHRU-003-0012, CHRU-004-0042 and CHRU-004-0047 should be amended to state that the associated OSE file numbers for the tracts of land and water rights described in the orders is "OSE Nos. 1545 & 1699" rather than "NONE."

3. The Consent Orders in these subfiles were filed with the Court as follows:

CHRU-001-0019A	June 18, 2004 (Doc. 7489)
CHRU-001-0019B	January 25, 2005 (Doc. 7726)
CHRU-003-0012	May 17, 2005 (Doc. 7877)
CHRU-004-0042	August 22, 2005 (Doc. 8004)
CHRU-004-0047	May 18, 2005 (Doc. 7893)

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order correcting the clerical errors and omissions described above.

Respectfully submitted,

/electronic signature/
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Motion to Correct Clerical Errors and Omissions was mailed to following persons on September 28, 2005.

/electronic signature/
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